

**WILLMAR CITY COUNCIL PROCEEDINGS**  
**COUNCIL CHAMBERS**  
**WILLMAR MUNICIPAL UTILITIES BUILDING**  
**WILLMAR, MINNESOTA**

October 7, 2013  
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by Mayor Pro Tempore Denis Anderson. Members present on a roll call were Council Members Denis Anderson, Ron Christianson, Steve Ahmann, Audrey Nelsen, Tim Johnson, Rick Fagerlie and Bruce DeBlieck; Present 7, Absent 2 – Mayor Frank Yanish and Council Member Jim Dokken were excused from the meeting.

Also present were City Administrator Charlene Stevens, Police Chief David Wyffels, Finance Director Steve Okins, Community Education and Recreation Director Steve Brisendine, Planning and Development Services Director Bruce Peterson, Fire Chief Gary Hendrickson, City Attorney Robert Scott, and City Clerk Kevin Halliday.

Council Member Christianson offered a motion adopting the Consent Agenda which included the following: City Council Minutes of September 16, Municipal Utilities Commission Minutes of September 23, Rice Hospital Board Minutes of September 25, Planning Commission Minutes of September 25, Exempt Permit for Willmar Curling Club, Accounts Payable Report through October 2, Building Inspection Report for September, and Community Ed/Recreation Joint Powers Board Minutes of September 27, 2013. Council Member Ahmann seconded the motion, which carried.

Mayor Pro Tempore Anderson acknowledged that no one had signed up to address the City Council during its scheduled Open Forum.

The Labor Relations Committee Report for September 17, 2013, was presented to the Council by Council Member Ahmann. There were four items for Council consideration.

Item No. 1      The meeting was called to order Council Member Christenson.

Item No. 2      There were no public comments offered at the meeting.

Item No. 3      The Committee discussed what they hoped to accomplish with a planning retreat. Suggestions included holding the retreat offsite, review of roles and responsibilities, review of the City Charter, additional training for Council Members, and a personality profile, such as the Meyers-Briggs assessment. Chair Ahmann arrived at this point in the meeting.

Carl Neu was suggested as a facilitator. It was also suggested that the retreat be held in late October or November if possible. Later in the meeting it was suggested that following the rollout of the Vision 2040 plan, it might be also appropriate to meet in January to consider a long-term plan for the City. Staff was directed to return with additional information. This matter was for information only.

Item No. 4      Chair Ahmann stated that he requested that the Convention and Visitors Bureau contract be placed on the agenda as a periodic review of contracts. Chamber of Commerce Director Ken Warner was invited to address the Committee regarding the history of the contract. Mr. Warner and City Clerk Halliday reviewed the contract between the City and Chamber of Commerce for the purposes of Convention and Visitors' services, as well as how the employees of the CVB are compensated. The CVB Executive Director's annual bonus, based on productivity goals set by the Chamber President, CVB Executive Committee and the CVB Executive Director were discussed. Ms. Fischer reviewed the various services provided by the CVB and some of the annual goals.

A few suggestions were made with regards to updating some language in the contract. This matter was for information only.

Item No. 5 City Administrator Stevens presented to the Committee a Memo dated September 16, 2013, outlining the goals and progress of the Administrator to date based upon previous discussions with the City Council. Following discussion, it was suggested that the goals could be refined as the year went on, but that it was a good starting point. This matter was for information only.

The Labor Relations Committee Report for September 17, 2013, was approved and ordered placed on file in the City Clerk's Office upon motion by Council Member Ahmann, seconded by Council Member Christianson, and carried.

The Finance Committee/Council Work Session Report for September 30, 2013, was presented to the Council by Council Member Anderson. There were five items for Council consideration.

Item No. 1 There was no one present wished to address the Council at this time.

Item No. 2 Council Members were provided a written report reflecting detail by department of the Travel/Training, Subscriptions/Memberships, and Professional Services expenses incurred to date in 2013, the department requests for 2014 and the Mayor's proposed reductions for 2014. City Department Directors also reviewed the detail of these expenses with the Council. Council Member Christianson questioned whether or not the City can legally pay for the Community Ed & Rec Director's membership in the Rotary Club. The City Attorney will be consulted in this matter. Council Member Deblieck asked for the amount of the Safe Assure contract. Staff will provide this information.

The Capital Improvements Plan for 2014 through 2018 was presented to the Council. A staff committee reviews all proposed projects, using specific criteria to rank and prioritize them. It was noted that these projects are funded through bonding, State Aid, cash, and special revenue funds such as Local Option Sales Tax. Council Member Christianson raised several questions, including a concern about spending \$200,000 for Downtown Gateways. He also asked if the City could perform the Facilities Study in-house rather than contracting it out. Concerns were raised about the lack of a canine unit in the police department. Council Member Anderson requested that the canine unit be a specific discussion at the November Budget meeting. Council Member Ahmann suggested that the City contact professional commercial building inspectors to address the Public Works garage issues.

The Vehicle Replacement Policy was presented to the Council. Council Members Christianson and Ahmann raised a concern about the life of vehicles used. Council Member Christianson also felt lawn mowing at the waste treatment plant could be contracted with outside sources rather than purchasing a new mower for use at the plant.

This matter was for information only.

Item No. 3 The Council reviewed a funding request of \$2,000 from the Willmar Lakes Area Community Marketing Coalition for 2014. These dollars would be used for advertising campaigns promoting the Willmar Lakes Area, such as the banners recently placed on light poles along First Street. Council Member Anderson again noted that the Mayor's 2014 Proposed Budget does not include contributions to community groups. This matter was for information only.

Item No. 4 The Council was informed that the agenda for the October 14, 2013, Finance Committee meeting will include the EDC, HRA, and 2012 Audit Presentation.

Item No. 5 Council Members were provided with further information from the West Central Integration Collaborative regarding hours of translation services provided to the City of Willmar to date for

2013. Council Member Christianson requested this same information for the past three years as well. This matter was for information only.

Item No. 6      There was no new business to discuss at this time.

The Finance/Council Work Session Minutes for September 30, 2013, was approved as presented upon motion by Council Member Anderson, seconded by Council Member Fagerlie, and carried.

City Clerk Halliday informed the Council that pursuant to Section 16-127 of the Willmar City Code, the Willmar Municipal Utilities Commission has requested the Council certify the unpaid utility charges of various properties as a lien on real property. According to City Code a hearing was offered to property owners to object to the charge. The Commission received no requests for appearance.

City Attorney Scott informed the Mayor and Council that Willow Run Apartments are in bankruptcy and should be considered at a later time. Following discussion regarding the removal of #27 and #28 of Willow Run, Resolution No. 1 was introduced by Council Member DeBlieck, seconded by Council Member Fagerlie, reviewed by Mayor Pro Tempore Anderson, and approved on a roll call vote of Ayes 7, Noes 0.

#### RESOLUTION NO. 1

WHEREAS, Section 16-127 of the Willmar City Code states that such unpaid utility bills represent a lien on the real property receiving utility services; and

WHEREAS, the Willmar Municipal Utilities Commission has offered the owner the right to request an appearance before the Commission to make objections to payment; and

WHEREAS, the Willmar Municipal Utilities Commission has adopted Resolution No. 36 on September 9, 2013, requesting the Willmar City Clerk-Treasurer to certify the unpaid utility charges as a lien on the real property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the amount of the unpaid utility charges totaling \$13,978.92 be certified to the County Auditor to be extended on the tax rolls of such real property in the same manner as other taxes for collecting in 2014 and collected by the County Treasurer, and paid to the City Clerk-Treasurer along with other taxes; and

BE IT FURTHER RESOLVED that the unpaid utility charges be certified against the real property as follows: (for Resolution in its entirety, see City Council Minutes file dated October 7, 2013, located in the City Clerk's Office)

Dated this 7<sup>th</sup> day of October, 2013.

/s/ Denis Anderson  
MAYOR PRO TEMPORE

/s/ Kevin Halliday  
Attest: CITY CLERK

Planning and Development Services Director Peterson reviewed with the Council the 2014 Improvements which include street and utility construction in multiple locations throughout the City. The areas were selected based on the five-year Capital Improvement Program as well as input from Engineering Staff and Municipal Utilities Staff. It was noted the funding associated with the project includes special assessments, local funds, Local Option Sales Tax monies, and State Aid Funds.

Following discussion, Resolution No. 2 was introduced by Council Member DeBlieck, seconded by Council Member Ahmann, reviewed by Mayor Pro Tempore Anderson, and approved on a roll call vote of vote of Ayes 7, Noes 0.

RESOLUTION NO. 2RESOLUTION ORDERING PREPARATION OF  
REPORT ON IMPROVEMENT

WHEREAS, it is proposed to construct the following improvements under the 2014 Improvement Projects: grading, aggregate base, curb and gutter, edge drain, sump pump connections, milling, bituminous pavement, sidewalk, service lines, sanitary sewer, storm sewer, and watermain;

And to assess the benefited property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Section 429.011 to 429.111 (Laws 1953, Chapter 398, as amended).

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF WILLMAR, MINNESOTA:

That the proposed improvement be referred to Bolton & Menk, Inc. for study, and that Bolton & Menk, Inc. is instructed to report to the Council advising the Council in a preliminary way as to whether the proposed improvement is feasible, and as to whether it should be best be made as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.

Dated this 7<sup>th</sup> day of October, 2013.

/s/ Denis Anderson  
MAYOR PRO TEMPORE

/s/ Kevin Halliday  
Attest: CITY CLERK

Under Old Business Council Member Christianson brought up a tabled motion which required a Council presence on committees that interview and hire Department Heads, Supervisors and Confidential Employees.

Council Member Christianson moved to remove a motion from the table. Council Member Ahmann seconded the motion, which carried on a roll call vote of Ayes 5, Noes 2 – Council Members Nelsen and DeBlieck voting “No.”

Council Member Christianson moved that the Willmar City Council adopt a formal written policy that states: “The Labor Relations Committee Chairperson or his/her appointee from the Labor Committee be on every hiring committee involving the hiring of department heads, supervisors and confidential employees.” Council Member Ahmann seconded the motion. Council Member Christianson noted that City Attorney Scott said the policy cannot include supervisors and confidential employees as the City Ordinance grants that responsibility to the City Administrator. Council Member Christianson moved to amend the motion deleting supervisors and confidential employees with Council Member Ahmann seconding the motion which carried on a roll call vote of Ayes 5, Noes 2 – Council Member Nelsen and DeBlieck voted “No.” In the ensuing discussion Council Member DeBlieck said Council Members should not be serving on a hiring committee, as it is the City Administrator’s responsibility, and that this policy undermines the authority of the City Administrator. Council Member Nelsen spoke against the motion stating she had concerns about who would be the appointee and the message it would send to candidates and staff, with further concerns that training is needed when someone is involved in the hiring process and asked what would be the role of that council person. Ms. Nelsen stated that there is a good process in place and believes it has worked well with past hiring.

Council Member Christianson said elected officials are responsible for all services delivered in Willmar, making sure services are delivered to citizens, and that the Council needs to be involving in hiring department heads.

Council Member Anderson said he opposed the motion and said the discussion gets to the philosophy of trust and respect, noting the Council's duty is to hire an Administrator empowered to hire department heads.

Council Member Ahmann asked the City Administrator about her thoughts. City Administrator Stevens stated that the process has worked well and did not think adding a Council Member will necessarily improve the process. Ms. Stevens said whether they intend it or not, having a Council Member on that panel might be intimidation.

Following discussion, the motion as amended then carried on a roll call vote of Ayes 4, Noes 3 with Council Members Anderson, Nelsen and DeBlieck voting "No."


Announcements for Council Committee meeting dates were as follows: Finance, October 14; Public Works/Safety, October 15; Labor Relations, October 16; and Community Development, October 17, 2013.

It was noted the Vision 2040 Rollout will be held on November 20, 2013, starting at 11:30 a.m. at the Willmar Conference Center and 6:00 p.m. at the Willmar Education and Arts Center.

It was noted the Willmar Municipal Utilities Open House will be held on October 8, 2013, at the Civic Center Arena.

There being no further business to come before the Council, the meeting adjourned at 7:54 p.m. upon motion by Council Member Christianson, seconded by Council Member Ahmann, and carried.

Attest:

  
MAYOR PRO TEMPORE

  
SECRETARY TO THE COUNCIL